

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 14, 2021

Hearing Room 126

10:00 AM

6:21-12841 Aaron Torreblanca

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Consumers
Credit Union, in the amount of \$7828.52

Re: 2015 Chevrolet Camaro

Docket 13

Tentative Ruling:

Tentative for 9/14/21:

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1600609350>

Meeting ID: 160 060 9350

Password: 498450

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

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CONT... Aaron Torreblanca

Chapter 7

Meeting ID: 160 060 9350

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Party Information

Debtor(s):

Aaron Torreblanca

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, September 14, 2021

Hearing Room 126

10:00 AM

6:21-13136 Abigail Perez Towner

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and BMW
Financial Services

Re: 2020 BMW X3 Utility 4D

Docket 11

Tentative Ruling:

Tentative for 9/14/21:

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CONT... Abigail Perez Towner

Chapter 7

Password: 498450

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Party Information

Debtor(s):

Abigail Perez Towner

Represented By
Edgar P Lombera

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 14, 2021

Hearing Room 126

10:00 AM

6:21-13292 Rannel Nunag and Lorelea Nunag

Chapter 7

#3.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and OneMain Financial Group LLC, in the amount \$3990.00

Re: 2002 Toyota

Docket 16

Tentative Ruling:

Tentative for 9/14/21:

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Tuesday, September 14, 2021

Hearing Room 126

10:00 AM

CONT... Rannel Nunag and Lorelea Nunag

Chapter 7

Meeting ID: 160 060 9350

Password: 498450

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Party Information

Debtor(s):

Rannel Nunag

Represented By
Alexander Pham

Joint Debtor(s):

Lorelea Nunag

Represented By
Alexander Pham

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Courtroom 126 Calendar**

Tuesday, September 14, 2021

Hearing Room 126

10:00 AM

6:21-13701 Giselle Canedo

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Nissan Motor Acceptance Corporation, in the amount of \$44709.75

Re: 2020 Nissan Pathfinder

Docket 10

Tentative Ruling:

Tentative for 9/14/21:

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10:00 AM

CONT... Giselle Canedo

Chapter 7

Password: 498450

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Party Information

Debtor(s):

Giselle Canedo

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 7

Adv#: 6:21-01006 Bui v. Color Ad, Inc., a California Corporation

#5.00

CONT. STATUS CONFERENCE re: Complaint by Lynda T. Bui against Color Ad, Inc., a California Corporation For: 1) Avoidance of Preferential Transfers and Recovery of Same [11 U.S.C. §§ 547, 550] 2) Preservation of Avoided Transfers [11 U.S.C. § 551]; and Disallowance of Claims [11 U.S.C. § 502(d)]

From: 4/6/21, 6/1/21

EH__

Docket 1

***** VACATED *** REASON: CONTINUED TO 11/2/21 BY ORDER
ENTERED 8/24/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
James R Selth
Crystle Jane Lindsey

Defendant(s):

Color Ad, Inc., a California

Represented By
Joseph E. Caceres

Plaintiff(s):

Lynda T. Bui

Represented By
Rika Kido
Melissa Davis Lowe

**United States Bankruptcy Court
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Tuesday, September 14, 2021

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11:00 AM

CONT... Banner Mattress, Inc.

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr
Rika Kido
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 7

Adv#: 6:21-01077 Bui v. American Quilting Company, Inc. a California corpo

#6.00

STATUS CONFERENCE re: Complaint by Lynda T. Bui against American Quilting Company, Inc. a California corporation dba Antaky Quilting Company, Inc. for: 1. Avoidance of Preferential Transfers and Recovery of Same [11 U.S.C. §§ 547, 550]; 2. Preservation of Avoided Transfers [11 U.S.C. § 551]; and 3. Disallowance of Claims [11 U.S.C. § 502(d)]

EH_____

Docket 1

***** VACATED *** REASON: CONTINUED TO 11/16/21 BY ORDER
ENTERED 8/30/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
James R Selth
Crystle Jane Lindsey

Defendant(s):

American Quilting Company, Inc. a

Pro Se

Plaintiff(s):

Lynda T. Bui

Represented By
Melissa Davis Lowe

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr
Rika Kido

**United States Bankruptcy Court
Central District of California
Riverside
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Hearing Room 126

11:00 AM

CONT...

Banner Mattress, Inc.

Melissa Davis Lowe

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
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Courtroom 126 Calendar**

Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

6:20-11755 William E. Ayala

Chapter 7

#7.00

Hrg. on Motion by Chapter 7 Trustee, Howard B. Grobstein for Order for Turnover of Estate Property and Documents Pursuant to § 521(a)(4) (Motion filed 8/4/21)

EH_____

Docket 45

Tentative Ruling:

Tentative for 9/14/21 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 855 6955

Password: 009478

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

William E. Ayala

Represented By

**United States Bankruptcy Court
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Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

CONT... William E. Ayala

Stephen R Wade

Chapter 7

Movant(s):

Howard B Grobstein (TR)

Represented By
Summer M Shaw

Trustee(s):

Howard B Grobstein (TR)

Represented By
Summer M Shaw

**United States Bankruptcy Court
Central District of California
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Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

6:20-17559 Ingrid S. Jordan

Chapter 7

#8.00

Hrg. on Trustee's Motion to Extend Time Second Motion To Extend Deadline
For Chapter 7 Trustee To Object To Debtor's Exemptions
(Motion filed 8/19/21)

EH_____

Docket 46

Tentative Ruling:

Tentative for 9/14/21:

This matter is CONTINUED to October 12, 2021, at 11:00 a.m. to allow the
Movant to effectuate proper notice.

The Court notes that the caption on the motion [Dk. 46, Pg. 3 of 11] contains
an improper hearing date of March 23, 2021. Movant is directed to file and
serve an amended motion and notice which both correctly contain the
continued 10/12 hearing date.

Appearances for the 9/14 hearing are excused.

Party Information

Debtor(s):

Ingrid S. Jordan

Represented By
Keith Q Nguyen

Movant(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

Trustee(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

**United States Bankruptcy Court
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Tuesday, September 14, 2021

Hearing Room 126

11:00 AM

6:21-13455 ARMANDO CABRERA and LUCIA IMELDA CABRERA

Chapter 7

#9.00

Hrg. on Trustee's Motion Objecting to Debtors' Exemptions
(Motion filed 8/20/21)

EH_____

Docket 14

Tentative Ruling:

Tentative for 9/14/21 is to SUSTAIN.

Debtors' schedules contained exemptions pursuant to CCP § 704.060 of their 2009 Honda Pilot and 2015 Nissan Altima (collectively, the "Vehicles"). Trustee has filed an objection to these exemptions, asserting that Debtor works at Home Depot and Walmart, and Joint-debtor is unemployed and the Vehicles are not used in either Debtors' "trade" as required by the statute. This Court agrees.

Debtors' counsel fundamentally misinterprets the proper application of the "tool of the trade" exemption. Simply stated, it applies when a debtor's use of a vehicle is an intrinsic part of their employment. Typical examples are plumbers with trucks carrying tools, contractors with trucks required to carry tools or materials, or real estate agents who transport clients. Vehicles used simply for commuting are not generally covered under the statute; alternate means to commuting in one's own vehicle are generally available.

Contrary to the assertions contained in the late opposition filed 9/1/21 [Dk. 17], the holding of *Sun Ltd. v. Casey*, 96 Cal. App. 3d 38 (1979), which determined that a real estate agent's vehicle was a tool of her trade, is not contrary to the ruling of *In re Rawn*, 199 B.R. 733, 736 (Bankr. E.D. Cal. 1996) relied upon by the Trustee and this Court.

In fact, the *Rawn* Court cited to and considered the impact of *Sun Ltd. v. Casey*, and noted the following:

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CONT... ARMANDO CABRERA and LUCIA IMELDA CABRERA Chapter 7

"The mere fact that he is required to supply his own transportation in order to commute to and from work is not, in and of itself, necessary to the execution of his trade. This conclusion is supported by analogy to California case law which has looked to the intrinsic qualities of the trade of the debtor, rather than the basic need of providing transportation to and from work, in evaluating whether the tool is necessary to the trade. *Lopp*, 18 Cal. Rptr. at 340; *Sun LTD*, 96 Cal. App. 3d 38, 157 Cal. Rptr. 576."

In re Rawn, 199 B.R. 733, 736 (Bankr. E.D. Cal. 1996).

Neither *Sun Ltd. v. Casey* cited by Debtors nor *Rawn* support Debtors' assertion that utilization of the vehicle for commuting to work and/or going to locations to obtain new employment is properly within the scope of the "tool of trade" exemption. Further, Debtors have offered no evidence that the Vehicles are otherwise a necessary tool of Debtors' trades. Therefore, the Trustee's objection to exemptions should be sustained.

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CONT... ARMANDO CABRERA and LUCIA IMELDA CABRERA

Chapter 7

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Party Information

Debtor(s):

ARMANDO CABRERA

Represented By
Gilbert A Diaz

Joint Debtor(s):

LUCIA IMELDA CABRERA

Represented By
Gilbert A Diaz

Movant(s):

Larry D Simons (TR)

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se